

**IN THE UNITED STATE DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JEFFREY COHEN, on behalf of himself and on behalf of
all similarly situated employees,

Plaintiff,

v.

GERSON LEHRMAN GROUP, INC.,

Defendant.

Civil Action No.
09-CV-04352 (PKC)

DECLARATION OF MICHAEL J. PUMA

I, Michael J. Puma, an attorney licensed to practice in the State of New York and a member in good standing of the State Bar of New York, declare as follows:

1. I am a partner in the law firm of Morgan, Lewis & Bockius LLP, counsel for Defendant Gerson Lehrman Group, Inc. ("GLG") in this action, and submit this Declaration pursuant to the Court's April 20, 2010 Order and in response to the Declaration of Douglas H. Wigdor, counsel for Plaintiff Jeffrey Cohen ("Plaintiff"), dated April 26, 2010 (Docket No. 81).

2. Although it is difficult to discern from Mr. Wigdor's lengthy declaration, it is apparent from a careful review that Plaintiff has no evidence that any individual other than David Reed (discussed below) did not receive the Notice.

3. Plaintiff sent the Notice to all 49 putative collective action members by certified mail, and it was returned as undeliverable for only 15 of those individuals. Yet, Plaintiff found new addresses for 3 of those 15 individuals (Ashleigh Baldwin, Claire Beste, and Kanchana Suggu), and then re-mailed the Notices and confirmed their receipt by these 3 individuals. A 4th individual (Regina Cho) contacted Plaintiff's counsel and obtained the Notice. With respect to the remaining 11 individuals, GLG had provided e-mail addresses for all but 2 of them (Matt Ronen and Mr. Reed), and none of the Notices e-mailed to the other 9 were returned as undeliverable. With respect to Mr. Ronen, he apparently received a copy of the Notice since he filed a consent form on February 26, 2010.


4. The only remaining individual is Mr. Reed, who left GLG over two years ago and whose e-mail address GLG does not have now and did not have when it produced the contact information to Plaintiff. Yet, Plaintiff's counsel could have contacted Mr. Reed by other means if they had exercised any reasonable diligence, as a quick Google.com search reveals that Mr. Reed has a profile on Spoke.com, which accepts e-mails. See Exhibit A hereto.

5. Finally, although Mr. Reed apparently did not receive the Notice, Plaintiff has not cited any authority to suggest that the Court must specifically confirm that each and every individual actually receives notice once the Court has authorized a reasonable means of delivery.

6. In any event, as discussed in the parties' joint letter to the Court dated April 16, 2010, there is no prejudice to Mr. Reed by this case proceeding without him because, by not opting into this action, Mr. Reed retains his right to file an independent action if he wishes to pursue an FLSA claim against GLG.

7. I declare that the foregoing information is true and correct based upon my personal knowledge and what was reported to me by Plaintiff's counsel.

Dated: April 29, 2010



Michael J. Puma

EXHIBIT A

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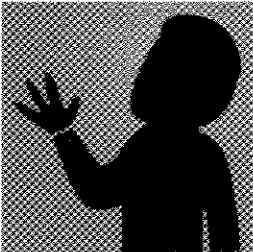
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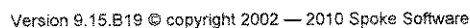
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